

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DANIEL EDWARD MANES,

Petitioner,

Case No. 1:07-CV-453

v.

Hon. Richard Alan Enslen

THOMAS K. BELL,

Respondent.

**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Ellen S. Carmody in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed July 11, 2008, is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that Respondent's Motion for Summary Judgment (Dkt. No. 19) is **GRANTED**.

**IT IS FURTHER ORDERED** that Petitioner's Application is **DISMISSED** for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that a certificate of appealability is denied as to each issue raised by Petitioner.

Dated in Kalamazoo, MI:  
August 11, 2008

/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge